

02-04-02

02/01/02

J1057 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL
(for Noncontinuing, Nonprovisional Application
under 37 C.F.R. §1.53(b))

Attorney Docket No. 72934

JC973 U.S. PTO
10/06/02
02/01/02

Box PATENT APPLICATION

Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL 868372863 US

Sir:

Date of Deposit 2/1/02

Transmitted herewith for filing under 37 C.F.R.
§1.53(b) is the nonprovisional, noncontinuing
patent application for:

I hereby certify that this paper or fee is being deposited
with the United States Postal Service "Express Mail
Post Office to Addressee" Service under 37 CFR §1.10
on the date indicated above and is addressed to the
Commissioner of Patents and Trademarks, Washington,
D.C. 20231.

Title: **OPTICAL FIBER AMPLIFIER AND
OPTICAL COMMUNICATION SYSTEM
USING THE SAME**

(Typed or printed name of person mailing)

(Signature of person mailing)

First Named Inventor or Application Identifier:
Masuda et al.

- ☒ 95 pages of the specification (including claims) are enclosed.
- ☒ 23 sheet(s) of drawings are enclosed. ☐ Formal ☐ Informal
- ☐ An executed Oath or Declaration and Power of Attorney naming the actual inventors is enclosed.
- ☒ The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§1.41(a) and §1.53(b)).
- ☐ An Assignment of the invention to _____, and cover sheet are enclosed.
- ☐ A check in the amount of \$ _____ to cover the fee for recording the assignment is enclosed.
- ☐ The Recordation Form Cover Sheet includes authorization to charge our Deposit Account for recording the assignment.
- ☐ A 37 C.F.R. §3.73(b) statement is enclosed where an assignee seeks to take action.
- ☐ An Information Disclosure Statement is enclosed.
- ☐ A Form PTO-1449 is enclosed.
- ☐ _____ References (copies) listed on the Form PTO-1449 are enclosed.
- ☒ A Return Receipt Postcard is enclosed (MPEP §503).

- ☒ Priority of application number 2001-27273 filed on 2/2/01 in Japan is claimed under 35 U.S.C. § 119.
- ☐ A certified copy of the priority document is enclosed.
- ☐ A Computer Program Listing Appendix is enclosed.
- ☐ A Transmittal Cover Letter for Computer Program Listing Appendix is enclosed.
- ☐ Two (2) Compact Discs are enclosed.
- ☐ A Nucleotide and/or Amino Acid Sequence Submission is enclosed.
- ☐ A Computer Readable Copy is enclosed.
- ☐ A Paper Copy (Identical to Computer Copy) is enclosed.
- ☐ A Statement Verifying Identity of above Copies is enclosed.
- ☒ The filing fee is calculated below:

Fee Calculation For Claims As Filed

Basic Fee						\$ 740.00
Independent Claims	<u>17</u>	-	<u>3</u>	=	<u>14</u>	x \$ 84.00 = \$ 1,176.00
Total Claims	<u>107</u>	-	<u>20</u>	=	<u>87</u>	x \$ 18.00 = \$ 1,566.00
Fee for Multiply Dependent Claims						\$ 280.00
Total Filing Fee						\$ 3,482.00

- ☐ Applicant(s) assert entitlement to Small Entity Status, reducing the Filing Fee by half to: \$ 0.00
- ☐ A check in the amount of \$_____ to cover the filing fee is enclosed.
- ☒ Charge \$ 3,482.00 to Deposit Account No. 06-1135. **Transaction Nos. 1963, 1964 and 1965.**
- ☐ The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.
- ☒ A separate written request under 37 C.F.R. § 1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. § 1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

☒ Also enclosed: **Preliminary Amendment (24 pages)**

☒ Address all future communications to Customer Number 22242.



February 1, 2002
Date

Kathleen A. Ranney
Kathleen A. Ranney
Registration No. 37,702

FITCH, EVEN, TABIN & FLANNERY
Suite 1600
120 South LaSalle Street
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007